

REMARKS

In response to the Office Action mailed January 2, 2004, Applicants respectfully request reconsideration based on the above claim amendments and the following remarks. Applicants respectfully submit that the amendments and remarks contained herein place the instant application in condition for allowance.

Claims 1-2, 4-11 and 13-39

In the Office Action, claims 1-2, 4-11 and 13-39 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,459,780 to Wurster et al. ("Wurster"). Applicants traverse the rejections as follows.

Applicants have herein amended independent claim 1 to clarify that the outgoing communication includes (1) "a first audible message identifying the calling party, wherein the intelligent resource server is configured for automatically recognizing a predetermined keyword spoken by the telecommunications user in response to the first message" and (2) "a second audible message prompting the calling party to modify a call forwarding profile, wherein the intelligent resource server is further configured for automatically recognizing a predetermined keyword spoken by the calling party in response to the second message."

Applicants submit that amended claim 1 is neither anticipated nor obvious in view of Wurster because Wurster fails to disclose, teach or suggest each and every element of amended claim 1. *See* MPEP § 2131 (stating that a claim is anticipated only if each and every element as set forth in the claim is disclosed in a single prior art reference); *see also* MPEP § 2142 (stating that one of the elements of a *prima facie* case of obviousness is that "the prior art reference (or references when combined) must teach or suggest all the claim limitations").

Wurster is directed to a call screening service that provides a subscriber with a caller supplied spoken name when caller identification (ID) information is blocked or unavailable. *See* Wurster, col. 3, lines 3-60. However, Applicants respectfully submit that nowhere does Wurster disclose, among other things, a second audible message prompting the calling party to modify a call forwarding profile and an intelligent resource server configured for automatically recognizing a predetermined keyword spoken by the calling party in response to the second message.

The Office Action identifies col. 10, line 13; col. 12, line 66; and col. 12, line 60 to col. 13, line 4 of Wurster as disclosing features of claim 1. A portion of the cited passages reads as follows: “[T]he IP (intelligent peripheral) plays to the **called party**, the recorded audio of the calling party’s speech which was obtained in response to a request for a name.” *See* Wurster, col. 10, line 12-15. As is plainly evident, this passage does not disclose, among other things, playing a second message that prompts the **calling party to modify a call forwarding profile** and an intelligent resource server configured for automatically recognizing a predetermined keyword spoken by the calling party in response to the second message, as claimed in claim 1. Rather the cited passages from Wurster concern only playing a message for the called party and recognizing an input from the called party in response to the message.

Thus, Applicants submit that claim 1 is not anticipated by the Wurster reference because the reference does not disclose all the elements of amended claim 1. Therefore, Applicants submit that claim 1, as well as claims 2-9, depending therefrom, are not anticipated by the cited reference.

Independent claims 10, 22, 28 and 35, as amended, contains language similar to claim 1. Therefore, for reasons analogous to those set forth previously with respect to claim 1, Applicants

submit that independent claims 10, 22, 28 and 35, as well as claims depending therefrom, are not anticipated by the cited reference. Accordingly, Applicants respectfully request that the §102(e) rejections associated with claims 1-2, 4-11 and 13-39 be withdrawn.

Claims 3 and 12

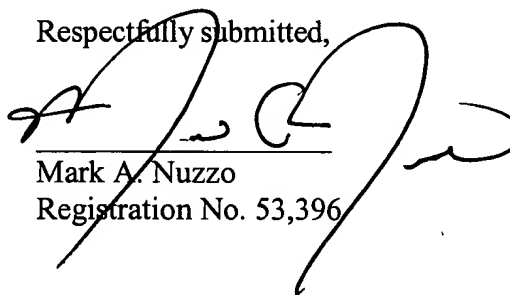
In the Office Action, claims 3 and 12 were rejected under 35 U.S.C. §103(a) as being unpatentable over Wurster in view of U.S. Patent No. 5,566,235 to Hetz ("Hetz"). Applicants traverse the rejection as follows.

Claim 3 depends from independent claim 1 and claim 12 depends from independent 10. For reasons stated hereinabove, Applicants submit that independent claims 1 and 10 are not obvious over Wurster in view of Hetz. In addition, MPEP §2143.03 states that if an independent claim is not obvious under 35 U.S.C. §103(a), then any claim depending therefrom is not obvious over the cited references. *See* MPEP §2143.03. Therefore, Applicants submit that claim 3, which depends from claim 1, and claim 12, which depends from claim 10, are not obvious in view of Wurster and Hetz for reasons stated hereinabove. Accordingly, Applicants respectfully request that the §103(a) rejections associated with claims 3 and 12 be withdrawn.

CONCLUSION

Applicants respectfully request a Notice of Allowance for the pending claims in the present application. If the Examiner is of the opinion that the present application is in condition for disposition other than allowance, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below in order that the Examiner's concerns may be expeditiously addressed.

Respectfully submitted,

A large, stylized handwritten signature in black ink, likely belonging to Mark A. Nuzzo, is written over the typed name and registration number.

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